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10 Attorneys for Defendant
11 Asset Acceptance, LLC

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 JOHNNY WANG, an individual, on
16 his own behalf and on behalf of all
17 others similarly situated,

18 Plaintiff,

19 vs.

20 ASSET ACCEPTANCE, LLC, a
21 Delaware limited liability company,
22 and DOES 1-100, inclusive,

23 Defendants.

24 CASE NO.: C09-04797 SI

25 **STIPULATION AND [PROPOSED]
26 ORDER CONTINUING HEARING
27 DATE ON PLAINTIFF'S MOTION
28 FOR RELIEF FROM THE
FEBRUARY 2, 2010 ORDER
DISMISSING PLAINTIFF'S
CCRAA CLAIMS AND SETTING
SPECIAL BRIEFING SCHEDULE**

The Honorable Susan Illston

1 WHEREAS on August 13, 2010, plaintiff Johnny Wang (“Wang”) filed his
 2 Motion for Relief from the February 2, 2010 Order Dismissing Plaintiff’s CCRAA
 3 Claims (docket no. 81) (the “Motion”), and set the hearing for September 17, 2010;

4 WHEREAS lead counsel for defendant Asset Acceptance, LLC (“Asset”),
 5 Tomio B. Narita, must defend his clients’ depositions in a multi-party class action
 6 on September 17, 2009, and thus cannot attend the hearing on that date;

7 WHEREAS the Motion appears to contain several new and complicated
 8 issues of law and the preparation of the response will likely require extensive
 9 research and drafting,

10 WHEREAS Plaintiff has agreed to continue the hearing on the Motion,

11 WHEREAS the parties agree, without waiving any other rights or objections
 12 that they may have, that Plaintiff may file a motion to compel discovery during the
 13 period of the continuance, and that the requested continuance shall not delay
 14 resolution of discovery matters,

15 NOW THEREFORE Plaintiff and Asset hereby stipulate and request that the
 16 Court continue the Hearing on the Motion to November 4, 2010 at 9:00 a.m., or as
 17 soon thereafter as the Court may hear the matter. The parties further agree to a
 18 special briefing schedule on the motion, whereby Asset will file its opposition on
 19 or before October 1, 2010, and Plaintiff will file his reply on or before October 22,
 20 2010.

21 IT IS SO STIPULATED.

22
 23 DATED: August 20, 2010

SIMMONDS & NARITA LLP
 TOMIO B. NARITA
 JEFFREY A. TOPOR

24
 25 By: s/Tomio B. Narita
 26 Tomio B. Narita
 27 Attorneys for defendant
 28 Asset Acceptance, LLC

1 DATED: August 20, 2010

PRESTON LAW OFFICES
ETHAN PRESTON

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3 By: s/Ethan Preston
4 Ethan Preston
5 Attorneys for Plaintiff
6 Johnny Wang
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[PROPOSED] ORDER

Pursuant to the stipulation and of the parties and good cause appearing, IT IS
HEREBY ORDERED THAT:

1. The hearing on Plaintiff's Motion for Relief from the February 2, 2010
Order Dismissing Plaintiff's CCRAA Claims (Docket no. 81) is
continued to November 4, 2010 at 9:00 a.m.
2. Asset shall file any opposition on or before October 1, 2010, and
Wang shall file his reply on or before October 22, 2010.

IT IS SO ORDERED.

DATED: _____

By: _____



Hon. Susan Illston
United States District Court Judge